

## **REMARKS**

This is intended to be a complete response to the Official Action mailed July 6, 2004, in which claims 1-29 were rejected. Applicants respectfully traverse the rejections.

### **Rejection Under 35 U.S.C. §102(b)**

Claims 1, 2, 8, 10, 11, 13, and 25 stand rejected under 35 U.S.C. §102(b) as being anticipated by Bakker (NL 1005489).

In the rejection it is stated that the Bakker reference teaches a single inwardly curved lower edge in the lower end of the sleeve and that the lower end 8 of the sleeve is closed.

Applicants respectfully state that both of the examiner's assertions are incorrect. Submitted herewith as Exhibit A is an English translation of the entire Dutch disclosure of the Bakker reference.

The English translation states on page 3, lines 1-2, that it is preferable that the "partially formed sleeve-type wrapper be open on the under side" and on page 3, lines 12-13 that:

"The stalks of flowers emerge from the under side (8) of the sleeve-type wrapper, wherein this under side (8) is preferably open."

It is clear from the attached translation that Bakker does not teach that the sleeve is closed at the lower end 8 but rather that it is open so that the stems of the flowers can protrude from the lower end of the sleeve.

Furthermore, given that the lower end of the sleeve shown in the figure of Bakker is open, it is also evident that the lower end of the sleeve does not have an inwardly curved lower edge. The lower end of the sleeve has a frustoconical shape thus the edge portion of the sleeve which "appears" to be inwardly curved actually has a straight lower edge and instead comprises a "curved side wall" such as is obtained when a cross-section is taken through a cone shape.

Clearly, the sleeve of Bakker only teaches a sleeve having an open lower end and with edges in the lower end which are not inwardly curved toward the upper end of the sleeve.

In view of the above, Applicants respectfully request withdrawal of the rejection of the claims under §102(b).

**First Rejection Under 35 U.S.C. §103(a)**

Claims 3-7, 9, 12, 14-23, 27, and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bakker (NL 1005489) in view of Weder et al. (EP 0791543 A2).

Applicants respectfully traverse the rejection for the same reasons cited in the response to the rejection under §102(b).

The Weder reference does not remedy the deficiencies of the Bakker reference.

In view of the above, applicants respectfully request reconsideration and withdrawal of the rejection of the claims under §103(a).

### **Second Rejection Under 35 U.S.C. §103(a)**

Claim 24 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Bakker (NL 1005489) in view of Baldwin (US 2,440,569).

Applicants respectfully traverse the rejection for the same reasons cited in the response to the rejection under §102(b).

The Baldwin reference does not remedy the deficiencies of the Bakker reference.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the rejection of the claims under §103(a).

### **Third Rejection Under 35 U.S.C. §103(a)**

Claim 26 is rejected under 35 U.S.C. §103(a) as being unpatentable over Bakker (NL 1005489) in view of Benoit (US 4,554,192).

Applicants respectfully traverse the rejection for the same reasons cited in the response to the rejection under §102(b).

The Benoit reference does not remedy the deficiencies of the Bakker reference.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the rejection of the claims under §103(b).

#### **Fourth Rejection Under 35 U.S.C. §103(a)**

Claim 29 is rejected under 35 U.S.C. §103(a) as being unpatentable over Bakker (NL 1005489) in view of Weder et al. (P 0791543 A2) in further view of Benoit (US 4,554,192).

Applicants respectfully traverse the rejection for the same reasons cited in the response to the rejection under §102(b).

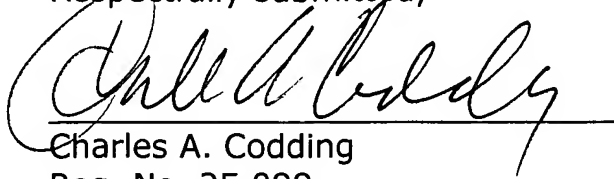
The Weder and Benoit references do not remedy the deficiencies of the Bakker reference.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the rejection of the claims under §103(a).

**CONCLUSION**

In view of the above, Applicants respectfully assert that the claims are now in a condition for allowance and request issuance of a Notice of Allowance therefor.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charles A. Coddington", is written over a horizontal line.

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Dutch Patent No. 1005489

## **Exhibit A**

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Translated from Dutch by the Ralph McElroy Translation Company  
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OFFICE FOR INDUSTRIAL PROPERTY  
THE NETHERLANDS  
PATENT NO. 1005489

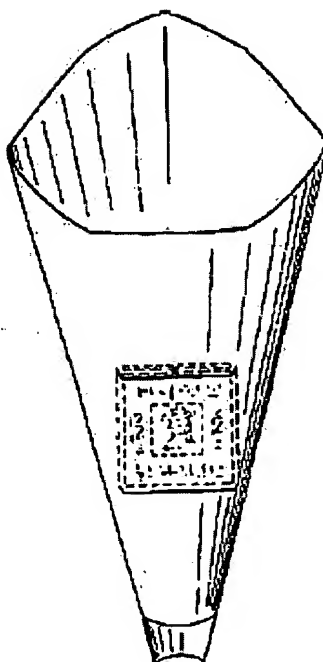
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SLEEVE-TYPE WRAPPER

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[Abstract]

The invention pertains to a sleeve-type wrapper with a front side and a rear side for packaging flowers, wherein the sleeve-type wrapper comprises, at least partially, a transparent material and has a shape, which tapers downward, and is open at the largest side of the tapering shape, wherein a third material layer is applied over part of the surface of the front side of the sleeve-type wrapper, wherein this third material layer is applied in a partially sealed off manner and is provided with an opening of such a size that an object can be inserted, via the opening, between the outside of the front side and the inside of the third material layer. The invention also pertains to a process for the manufacture of such a sleeve-type wrapper.



The contents of this patent correspond to the originally filed specification with claim(s) and any possible drawings.

The invention pertains to a sleeve-type wrapper with a front side and a rear side for packaging flowers, wherein the sleeve-type wrapper comprises, at least partially, a transparent material and has a shape which tapers downward, and is open at the largest side of the tapering shape.

The invention also pertains to a process for the manufacture of such a sleeve-type wrapper.

It is known that flowers are packaged in a translucent plastic or thin film that is wrapped around the bouquet. It is also known that a bouquet of flowers can be inserted into a sleeve-type wrapper comprising a film material. There is frequently a need to present a bunch of flowers together with a gift in small format, such as a CD, a record or book token, a greeting card, or a similar article. A packaging material has been sought in which both the flowers and the gift can be stored. This has become possible with a sleeve-type wrapper in accordance with the invention. As mentioned in the preamble, this sleeve-type wrapper is then characterized by the feature that a third material layer is applied over part of the surface of the front side of the sleeve-type wrapper, wherein this third material layer is applied in a partially sealed off manner and is provided with an opening of such a size that an object can be inserted, via the opening, between the outside of the front side and the inside of the third material layer. The third material layer preferably forms a bag-shaped element on the front side of the sleeve-type wrapper. It is also preferable that the

bag-shaped element be rectangular, and that the partially formed sleeve-type wrapper be open on the under side.

A process for the manufacture of the sleeve-type wrapper in accordance with the invention is also obtained in accordance with the invention, wherein this process is characterized by the feature that a third layer is applied, by means of heat sealing, to the front side of the partially formed sleeve-type wrapper, wherein this partially formed sleeve-type wrapper comprises a front side and a rear side, which tapers downward, and is open at the upper side, in such a way that a bag-shaped element is formed on the front side of the sleeve-type wrapper.

The invention will be elucidated further by means of the following description, wherein reference is made to the appended diagram.

The appended diagram indicates a sleeve-type wrapper (1) into which a bunch of flowers can be placed via the upper side (4). The stalks of the flowers emerge from the under side (8) of the sleeve-type wrapper, wherein this underside (8) is preferably open.

The sleeve-type wrapper (1) in accordance with the invention comprises a partially formed sleeve-type wrapper (2 + 3) that is formed from a front side (2) and a rear side (3). A bag-shaped element (5) is formed on the partially formed sleeve-type wrapper (2 + 3) with the help of a third material layer, wherein this bag-shaped element is sealed on the under side (9) and on the lateral edges (10) and (11) and is open at the upper side (6). The bag-shaped element that is formed in this way on the front side (2) of the partially formed sleeve-type wrapper (2 + 3) is open at the upper side (6) so that it is possible to insert a gift, such as a book token, a record token, a greetings card, or CD (7), or a similar article, into the bag-shaped element (5) via the upper side. It will be clear that the sleeve-type wrapper in accordance with the invention is not limited to a particular size of the bag-shaped element (5) or to a particular shape thereof. The bag-shaped element (5) can also be round or elliptical, for example, as long as it is possible to install an object therein via an opening that is optionally capable of being sealed off.

### Claims

1. Sleeve-type wrapper with a front side and a rear side for packaging flowers, wherein this sleeve-type wrapper comprises, at least partially, a transparent material which tapers downward, and is open on the largest side of the tapering shape, with the characterizing feature that a third material layer is applied over part of the surface of the front side (2) of the sleeve-type wrapper (1), wherein this third material layer is applied in a partially sealed off manner and is provided with an opening (6) of such a size that an object (7) can be inserted, via the opening, between the outside of the front side and the inside of the third material layer.

2. Sleeve-type wrapper in accordance with Claim 1, with the characterizing feature that the third material layer forms a bag-shaped element (5) on the front side (2) of the sleeve-type wrapper.

3. Sleeve-type wrapper in accordance with Claim 2, with the characterizing feature that the bag-shaped element (5) is rectangular.

4. Sleeve-type wrapper in accordance with Claims 1-3, with the characterizing feature that the partially formed sleeve-type wrapper (2 + 3) is open on the under side (8).

5. Sleeve-type wrapper in accordance with Claims 1-4, with the characterizing feature that the bag-shaped element (5) is capable of being sealed off.

6. Process for the manufacture of the sleeve-type wrapper in accordance with Claim 1, with the characterizing feature that a third layer is applied, by means of heat sealing, to the front side of the partially formed sleeve-type wrapper (2 + 3), wherein this partially formed sleeve-type wrapper comprises a front side (2) and a rear side (3), which tapers downward, and is open at the upper side (4), in such a way that a bag-shaped element is formed on the front side of the sleeve-type wrapper.

7. Process in accordance with Claim 5, with the characterizing feature that a sleeve-type wrapper is manufactured as indicated in Claims 4 and 5.